

## REMARKS

Favorable reconsideration of the above-identified application is requested in view of the following remarks.

The Official Action rejects Claims 1, 3, 6-14 and 17-21 under 35 U.S.C. § 102(a) as being anticipated by Australian Patent Application Publication No. 2003/211251 (hereinafter Miki), and rejects Claims 4, 5, 15 and 16 as being unpatentable over Miki in view of a secondary reference.

This application claims priority to Japanese Patent Application No. 2003-070808, filed March 14, 2003. A certified copy of the priority document was filed March 12, 2004, and a verified translation of the priority document was filed July 3, 2008. This application's foreign priority claim was therefore perfected prior to issuance of the October 6, 2008 Official Action.

The March 14, 2003 perfected foreign priority date precedes Miki's September 22, 2003 publication date. Accordingly, Miki does not qualify as prior art under 35 U.S.C. § 102(a) with respect to this application. Applicants further note that Miki does not qualify as prior art with respect to this application under any other portion of 35 U.S.C. § 102.

For at least these reasons, Miki is not prior art with respect to the claims of this application. Thus, Claims 1, 3, 6-14 and 17-21 are allowable over Miki, and Claims 4, 5, 15 and 16 are allowable over Miki in view of the secondary reference. Withdrawal of the rejections of Claims 1 and 3-21 is therefore respectfully requested.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that the telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: January 6, 2009

By: Matthew L. Schneider  
Matthew L. Schneider  
Registration No. 32814

Peter T. deVore  
Registration No. 60361

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620